THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.26645 of 2005

Dated 16th December 2005

Between:

Shaik Hussain

…Petitioner

and

The Commissioner of Fisheries,

Hyderabad. & others.

…Respondents

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No. 26645 of 2005

O R D E R:

The petitioner is an ex-president of the Fishermen Cooperative Society, Mellacheruvu, the 5th respondent herein. Earlier, he approached this Court, by filing W.P.No.20912 of 2005, in relation to conducting of elections. The writ petition was disposed of on 9.11.2005, directing that the elections be concluded by 15.12.2005.

The grievance of the petitioner is that the Election Officer, the 4th respondent herein, has deleted as many as 53 existing members and included 53 persons in the voters list, contrary to the directions issued by this Court, in the said writ petition. He contends that the election process itself is vitiated, and the same deserves to be interdicted.

Heard the learned counsel for the petitioner, learned Government Pleader for Fisheries, and learned Counsel for the

5th respondent.

The election process has commenced, pursuant to the directions issued by this Court. It was indicated in the order in W.P.No.20912 of 2005 that the election must be held in accordance with the voters list that existed, as on the date of expiry of the term of the previous committee. The question as to whether the names of any voters were deleted from such a list, or whether any new members were added, cannot be considered by this court, at this stage. Learned counsel for the petitioner has placed before this Court a copy of the order issued by the Election Authority, directing the 4th respondent to ensure that the voters list does not suffer from any illegality or infirmity. At any rate, as long as the affected persons are not before this Court, it is impermissible to entertain the writ petition.

The writ petition is accordingly dismissed, leaving it open to the petitioner to work out his remedies. There shall be no order as to costs.

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16th December 2005

Note: Issue C.C. by tomorrow.

(B/o)

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